

## **IC 34-31-7**

### **Chapter 7. Premises Liability of Religious Organizations**

## **IC 34-31-7-1**

### **Chapter application**

Sec. 1. This chapter applies to premises liability only.

*As added by P.L.149-2005, SEC.2.*

## **IC 34-31-7-2**

### **Duties of nonprofit religious organizations**

Sec. 2. Except as provided in section 3 of this chapter, a nonprofit religious organization has only the following duties concerning persons who enter premises owned, operated, or controlled by the nonprofit religious organization and used primarily for worship services:

(1) If a person enters the premises with the actual or implied permission of the nonprofit religious organization, the nonprofit religious organization has a duty to:

(A) warn the person of a hidden danger on the premises if a representative of the nonprofit religious organization has actual knowledge of the hidden danger; and

(B) refrain from intentionally harming the person.

(2) If a person enters the premises without the actual or implied permission of the nonprofit religious organization, the nonprofit religious organization has the duty to refrain from intentionally harming the person.

*As added by P.L.149-2005, SEC.2.*

## **IC 34-31-7-3**

### **Duties concerning childcare services at nonprofit religious organizations**

Sec. 3. (a) As used in this section, "premises" means a part of a building that is:

(1) used primarily for worship services;

(2) owned, operated, or controlled by a nonprofit religious organization; and

(3) used for purposes of providing childcare services for which a fee is charged.

(b) If a customer who purchases childcare services or the customer's child enters the premises for the purpose of receiving fee based childcare services, with the actual or implied consent of the childcare provider or nonprofit religious organization, the childcare provider and nonprofit religious institution have the duty to:

(1) warn the customer or the customer's child of a hidden danger on the premises if a representative of the childcare provider or the nonprofit religious institution has actual knowledge of the hidden danger;

(2) refrain from intentionally harming the customer or the customer's child; and

(3) inspect the premises for dangerous hazards and defects, and

correct any dangerous hazard or defect within a reasonable period of time after becoming aware of the existence of the dangerous hazard or defect.

*As added by P.L.149-2005, SEC.2.*